



## Development of Amendments to 326 IAC 6.5 and 326 IAC 6.8 to Update Source Information

LSA Document #04-279

### Overview

This rulemaking adds source identification numbers for 119 sources; updates source names for 77 sources; changes emission limits for 14 sources including: flexcel-Borden (326 IAC 6.5-2-8); Jasper Seating Co., Inc., Plant No. 3 (326 IAC 6.5-4-3); Jasper Chair Company (326 IAC 6.5-4-15); Vertellus Agriculture & Nutrition Specialties LLC (326 IAC 6.5-6-31); Reith Riley (326 IAC 6.5-7-11); Walsh and Kelly, Inc. (326 IAC 6.5-7-18); Sisters of Providence (326 IAC 6.5-9-13); Milestone Contractors (326 IAC 6.5-10-5); Milestone Contractors Richmond (326 IAC 6.5-10-14); ASF Keystone (326 IAC 6.8-2-4); BP Products North American, Inc.-Whiting Refinery (326 IAC 6.8-2-6); SCA Tissue (326 IAC 6.8-2-11); Resco Products, Inc. (326 IAC 6.8-2-16); Jupiter Aluminum Corporation (326 IAC 6.8-2-18) and repeals 131 sections where sources are no longer operating and equipment has been removed from the facility.

### Citations Affected

Amends: 326 IAC 6.5-2-1

326 IAC 6.5-2-4

326 IAC 6.5-2-8

326 IAC 6.5-2-9

326 IAC 6.5-3-1

326 IAC 6.5-3-2

326 IAC 6.5-3-3

326 IAC 6.5-3-4

326 IAC 6.5-3-5

326 IAC 6.5-3-7

326 IAC 6.5-3-8

326 IAC 6.5-4-1

326 IAC 6.5-4-2

326 IAC 6.5-4-3

326 IAC 6.5-4-4

326 IAC 6.5-4-5

326 IAC 6.5-4-6

326 IAC 6.5-4-9

326 IAC 6.5-4-10

326 IAC 6.5-4-15

326 IAC 6.5-4-16

326 IAC 6.5-4-17

326 IAC 6.5-4-18

326 IAC 6.5-4-19

326 IAC 6.5-4-21

326 IAC 6.5-4-24

326 IAC 6.5-5-1

326 IAC 6.5-5-2

326 IAC 6.5-5-5

326 IAC 6.5-5-10

326 IAC 6.5-5-11

326 IAC 6.5-5-16

326 IAC 6.5-6-1

326 IAC 6.5-6-2

326 IAC 6.5-6-3

326 IAC 6.5-6-5

326 IAC 6.5-6-10

326 IAC 6.5-6-15

326 IAC 6.5-6-18

326 IAC 6.5-6-22

326 IAC 6.5-6-23

326 IAC 6.5-6-23.1

326 IAC 6.5-6-25

326 IAC 6.5-6-26

326 IAC 6.5-6-28

326 IAC 6.5-6-31

326 IAC 6.5-6-33

326 IAC 6.5-6-34

326 IAC 6.5-6-35

326 IAC 6.5-7-1

326 IAC 6.5-7-6

326 IAC 6.5-7-10

326 IAC 6.5-7-11

326 IAC 6.5-7-13

326 IAC 6.5-7-16

326 IAC 6.5-7-18

326 IAC 6.5-8-1

326 IAC 6.5-8-11

326 IAC 6.5-8-12

326 IAC 6.5-8-13

326 IAC 6.5-8-14

326 IAC 6.5-9-1

326 IAC 6.5-9-8

326 IAC 6.5-9-10

326 IAC 6.5-9-11

326 IAC 6.5-9-13

326 IAC 6.5-9-15	326 IAC 6.5-2-6
326 IAC 6.5-9-17	326 IAC 6.5-2-7
326 IAC 6.5-9-18	326 IAC 6.5-2-10
326 IAC 6.5-10-1	326 IAC 6.5-2-11
326 IAC 6.5-10-2	326 IAC 6.5-2-12
326 IAC 6.5-10-3	326 IAC 6.5-3-6
326 IAC 6.5-10-5	326 IAC 6.5-3-9
326 IAC 6.5-10-6	326 IAC 6.5-4-7
326 IAC 6.5-10-9	326 IAC 6.5-4-8
326 IAC 6.5-10-11	326 IAC 6.5-4-11
326 IAC 6.5-10-12	326 IAC 6.5-4-12
326 IAC 6.5-10-13	326 IAC 6.5-4-13
326 IAC 6.5-10-14	326 IAC 6.5-4-14
326 IAC 6.5-10-15	326 IAC 6.5-4-20
326 IAC 6.5-10-16	326 IAC 6.5-4-22
326 IAC 6.8-1-1	326 IAC 6.5-4-23
326 IAC 6.8-1-5	326 IAC 6.5-5-3
326 IAC 6.8-1-7	326 IAC 6.5-5-4
326 IAC 6.8-2-1	326 IAC 6.5-5-6
326 IAC 6.8-2-2	327 IAC 6.5-5-7
326 IAC 6.8-2-4	326 IAC 6.5-5-8
326 IAC 6.8-2-6	326 IAC 6.5-5-9
326 IAC 6.8-2-7	326 IAC 6.5-5-12
326 IAC 6.8-2-8	326 IAC 6.5-5-13
326 IAC 6.8-2-9	326 IAC 6.5-5-14
326 IAC 6.8-2-11	326 IAC 6.5-5-15
326 IAC 6.8-2-13	326 IAC 6.5-6-4
326 IAC 6.8-2-14	326 IAC 6.5-6-6
326 IAC 6.8-2-16	326 IAC 6.5-6-7
326 IAC 6.8-2-17	326 IAC 6.5-6-8
326 IAC 6.8-2-18	326 IAC 6.5-6-9
326 IAC 6.8-2-19	326 IAC 6.5-6-11
326 IAC 6.8-2-20	326 IAC 6.5-6-12
326 IAC 6.8-2-21	326 IAC 6.5-6-13
326 IAC 6.8-2-22	326 IAC 6.5-6-14
326 IAC 6.8-2-24	326 IAC 6.5-6-16
326 IAC 6.8-2-25	326 IAC 6.5-6-17
326 IAC 6.8-2-26	326 IAC 6.5-6-19
326 IAC 6.8-2-27	326 IAC 6.5-6-20
326 IAC 6.8-2-28	326 IAC 6.5-6-21
326 IAC 6.8-2-29	326 IAC 6.5-6-24
326 IAC 6.8-2-30	326 IAC 6.5-6-27
326 IAC 6.8-2-31	326 IAC 6.5-6-29
326 IAC 6.8-2-32	326 IAC 6.5-6-30
326 IAC 6.8-2-33	326 IAC 6.5-6-32
326 IAC 6.8-2-34	326 IAC 6.5-6-36
326 IAC 6.8-2-35	326 IAC 6.5-7-2
326 IAC 6.8-2-36	326 IAC 6.5-7-3
326 IAC 6.8-2-37	326 IAC 6.5-7-4
326 IAC 6.8-2-38	326 IAC 6.5-7-5
326 IAC 6.8-4-1	326 IAC 6.5-7-7
326 IAC 6.8-8-1	326 IAC 6.5-7-8
326 IAC 6.8-9-3	326 IAC 6.5-7-9
326 IAC 6.8-10-1	326 IAC 6.5-7-12
Repeals: 326 IAC 6.5-2-2	326 IAC 6.5-7-14
326 IAC 6.5-2-3	326 IAC 6.5-7-15
326 IAC 6.5-2-5	326 IAC 6.5-7-17

326 IAC 6.5-7-19  
326 IAC 6.5-7-20  
326 IAC 6.5-8-2  
326 IAC 6.5-8-3  
326 IAC 6.5-8-4  
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326 IAC 6.8-2-3  
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326 IAC 6.8-2-10  
326 IAC 6.8-2-12  
326 IAC 6.8-2-15  
326 IAC 6.8-2-23  
326 IAC 6.8-3-1  
326 IAC 6.8-3-2  
326 IAC 6.8-3-3  
326 IAC 6.8-3-4  
326 IAC 6.8-5-1  
326 IAC 6.8-6-1  
326 IAC 6.8-6-2  
326 IAC 6.8-6-3  
326 IAC 6.8-6-4  
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326 IAC 6.8-6-12  
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326 IAC 6.8-6-14  
326 IAC 6.8-6-15

326 IAC 6.8-6-16  
326 IAC 6.8-6-17  
326 IAC 6.8-6-18  
326 IAC 6.8-6-19  
326 IAC 6.8-6-20  
326 IAC 6.8-7-1  
326 IAC 6.8-7-2  
326 IAC 6.8-7-3  
326 IAC 6.8-7-4  
326 IAC 6.8-7-5  
326 IAC 6.8-7-6  
326 IAC 6.8-7-7  
326 IAC 6.8-7-8

### **Affected Persons**

Sources currently listed in 326 IAC 6.5 and 326 IAC 6.8, regional office staff, and local air pollution agencies who refer to the particulate rules for permitting and compliance activities will be affected by the rulemaking. Notification of these draft rule amendments have been sent to all sources who provided comments during the course of this rulemaking.

### **Reason or Reasons for the Rule**

To add source identification numbers, update source names and emission limitations and repeal sections where sources are no longer in operation and equipment has been removed from the facility. Source identification numbers have been added to be consistent with current permit requirements. U.S. EPA requested that IDEM amend to source names and emission limits after the reformatted rules were promulgated.

### **Economic Impact of the Rule**

There is no economic impact to the sources for whom the rule changes due to name change or adding source identification numbers because the rule will not make substantive amendments that are not already imposed on sources by their permits. There may be economic impact to BP Products North America, Inc., and Vertellus Agriculture and Nutrition Specialties LLC with increases and decreases to emission limits and changes to reporting requirements. There may be a minimal positive fiscal impact to IDEM staff to have all source information, including emission limitations, in one rule for easier access and time saving.

## Benefits of the Rule

This rulemaking benefits IDEM, local permitting agencies, and sources by updating or removing outdated source information in 326 IAC 6.5 and 326 IAC 6.8.

## Description of the Rulemaking Project

The purpose of this rulemaking is to update the source specific information found in articles 326 IAC 6.5 and 326 IAC 6.8. In a separate rulemaking, IDEM repealed 326 IAC 6-1 and replaced it with Article 6.5 and Article 6.8. The recodification (#02-335) created a separate rule for each county and a section for each source. It printed as a final rule in the September 1, 2005, Indiana Register (28 IR 3454).

This second rulemaking is intended to update source specific information, including source name and emission limitation amendments to be consistent with a source's current or pending permit. In addition, for each Lake County source that was subject to requirements in:

- 326 IAC 6.8-3, Lake County: Opacity Limits; Exceptions to 326 IAC 5-1-2;
- 326 IAC 6.8-5, Lake County: Opacity Continuous Emissions Monitors;
- 326 IAC 6.8-6, Lake County: Combustion Sources; Natural Gas; and
- 326 IAC 6.8-7, Lake County: Site-Specific Control Requirements;

those requirements have been consolidated in 326 IAC 6.8-2, Lake County; PM<sub>10</sub> Emission Requirements to eliminate duplication within the article.

This rulemaking includes changes identified by IDEM, local permitting agencies, and sources.

### Emission Limit Changes

- 6.5-2-8 flexcel-Borden (increase)
- 6.5-4-3 Jasper Seating Company, Inc. Plt No. 3 (increase)
- 6.5-4-15 Jasper Chair Company. Inc (increase)
- 6.5-6-31 Vertellus (decrease)
- 6.5-7-11 Reith Riley (increase)
- 6.5-7-18 Walsh & Kelly (increase)
- 6.5-9-13 Sisters of Providence (change)
- 6.5-10-5 Milestone Contractors LP (decrease)
- 6.5-10-14 Milestone Contractors Richmond (decrease)
- 6.8-2-4 ASF Keystone, Inc. Hammond (increase)
- 6.8-2-6 BP Products NA-Whiting Refinery (decrease)
- 6.8-2-11 SCA Tissue North America LLC (increase)
  
- 6.8-2-16 Resco Products, Inc. (increase)

- 6.8-2-18 Jupiter Aluminum Corporation (decrease)

Amendments for Vertellus Agriculture & Nutrition Specialties LLC reinstate emission limits for Process 2724W erroneously determined to burn natural gas only in a previous rulemaking and amend limit for process 732714 that burns only natural gas and process gas.

Amendments for BP Products North America, Inc. Whiting Refinery address:

- the shut down of certain units at BP Whiting;
- the cessation of fuel-oil combustion;
- the requirement to use natural gas or refinery fuel gas only;
- an emission limit change for gaseous fuel-fired heaters and boilers based on an AP-42 emission factor for natural gas combustion that equals approximately 0.0075 lb/MMBtu; and
- updated emission limitations expressed in units of pounds per hour.

Rules applicable to sources that no longer exist have been recommended for repeal.

## Scheduled Hearings

First Public Hearing: September 5, 2007.

## Consideration of Factors Outlined in Indiana Code 13-14-8-4

Indiana Code 13-14-8-4 requires that in adopting rules and establishing standards, the board shall take into account the following:

- 1) All existing physical conditions and the character of the area affected.
- 2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- 3) Zoning classifications.
- 4) The nature of the existing air quality or existing water quality, as appropriate.
- 5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.
- 6) Economic reasonableness of measuring or reducing any particular type of pollution.
- (7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to:
  - (A) human, plant, animal, or aquatic life; or
  - (B) the reasonable enjoyment of life and property.

## Consistency with Federal Requirements

The amended rules are consistent with federal laws, rules, and guidance. All amendments reflect current or pending permitting requirements. This rulemaking

will be submitted to U.S. EPA for approval as part of the state implementation plan (SIP).

### **Rulemaking Process**

The first step in the rulemaking process is a first notice published in the *Indiana Register*. This includes a discussion of issues and opens a first comment period. The second notice is then published which contains the comments and the department's responses from the first comment period, a notice of first meeting/hearing, and the draft rule. The Air Pollution Control Board holds the first meeting/hearing and public comments are heard. The proposed rule is published in the *Indiana Register* after preliminary adoption along with a notice of second meeting/hearing. If the proposed rule is substantively different from the draft rule, a third comment period is required. The second public meeting/hearing is held and public comments are heard. Once final adoption occurs, the rule is reviewed for form and legality by the Attorney General, signed by the Governor, and becomes effective 30 days after filing with the Publisher of the Indiana Register.

### **IDEM Contact**

Additional information regarding this rulemaking action can be obtained from Suzanne Whitmer, Rule Development Section, Office of Air Quality, (317) 232-8229 or (800) 451-6027 (in Indiana).